

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	05-00367-01-CR-W-GAF
)	
SHIRLEY A. BREEDLOVE,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On October 18, 2005, the Grand Jury returned a one count Indictment against defendant Shirley Breedlove . The indictment charges that from on or about May 1, 2004 to June 24, 2004, defendant Breedlove, while employed as a teller at Bank of America Branch #2705, a bank with deposits insured by Federal Deposit Insurance Corporation, and with intent to injure or defraud the bank and to bring about financial gain for herself, did embezzle, abstract, purloin, and wilfully misapply moneys, funds, and credits of such bank, the sum equaling approximately \$35,720.17.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Daniel Nelson and Curt Bohling
Case Agent: Secret Service Special Agent Jeffrey Shaw
Defense: John O'Connor and John Gromowsky

OUTSTANDING MOTIONS: None

TRIAL WITNESSES:

Government: 9 with stipulations
Defendant: 2 witness, defendant may testify

TRIAL EXHIBITS:

Government: 4 groups of exhibits totaling 50 documents (all are bank records)
Defendant: 10-12 exhibits

DEFENSES: general denial

POSSIBLE DISPOSITION:

(X) Definitely for trial () Possibly for trial () Likely a plea will be worked out

TRIAL TIME: 2 ½ days

Government's case including jury selection: 2 days

Defense case: ½ day at most

STIPULATIONS: The parties have worked out stipulations as to bank records.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List: To be filed on Friday prior to the Pretrial Conference
Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, March 15, 2006

Please Note: Jury instructions must comply with Local Rule 51.1.

Motions in Limine: None are planned presently. However, defense counsel is arranging for the defendant to undergo a polygraph examination this week. If defense counsel seeks to admit the results of those tests, the government will object.

TRIAL SETTING: This case is set on the March 20, 2006 Joint Criminal Jury Trial Docket.

Please Note: The parties are requesting the second week of the docket.

IT IS SO ORDERED.

/s/ Sarah W. Hays
SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE